IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 544 OF 2006

Manorama Raghunath Dhamnaskar.] ..Petitioner
Vs.
1. Dena Bank & 5 ors.] ..Respondents

Mr. A.P. Rege for the petitioner.

Mr. Jay Bhatia for the respondent.

Mr. M.P. Mishra for the respondent No.4.

CORAM : F.I. REBELLO,
ANOOP V. MOHTA, JJ.

DATED : 27TH APRIL, 2006

P.C.

. Respondent No.4 has filed an Affidavit. Pursuant to the suggestions of the Court, respondent No.4 and the petitioner have agreed that respondent No.4 will be paid a sum of Rs.1,50,000/- in full and final settlement and he will not claim any further amount from the amount presently lying in deposit with Dena Bank in the Sun Mill Compound, Lower Parel Branch. In para 2, this is what the respondent No.4 has stated: "I further say that the petitioner abovenamed will agree to pay to me, the total sum of Rs.1,58,407/-, then I will have no any objection to the petitioner alone operating the above said account and my name to be deleted and/or removed from the said account and I undertake that I will not claim any right, title, interest over the said account

and amount pertaining to the said Bank Account." The said sum of Rs.1,58,407/-, at the oral hearing, has been reduced to Rs.1,50,000/- only. In the light of that, the present Petition can be disposed of by issuing the following directions:

(i) The respondent No.1-Bank will issue a Pay Order in favour of respondent No.4 in a sum of Rs.1,50,000/- only.

(ii) This Pay Order will be handed over to respondent N.4 on respondent No.4 giving a formal letter in writing to the petitioner that his name be cancelled as joint account operator and that the petitioner alone will operate the account.

(iii) The entire exercise to be completed within 10 days from today.

2. Rule made absolute accordingly. There shall be no order as to costs.

Sd/-
[F.I. REBELLO, J.]

Sd/-
[ANOOP V. MOHTA, J.]